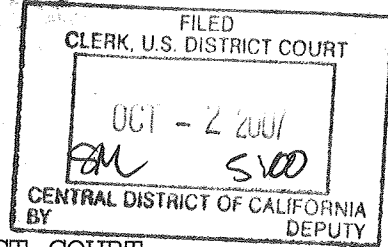


ORIGINAL

1



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION

THE HONORABLE JAMES V. SELNA, JUDGE PRESIDING

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.

KENNETH KETNER,  
Defendant.

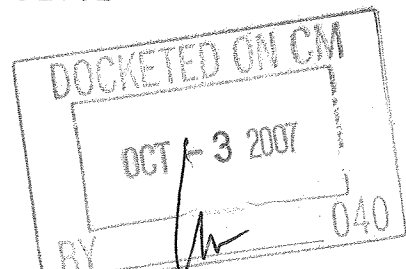
SACR-05-36-JVS

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Santa Ana, California

September 1, 2006

SHARON A. SEFFENS, RPR  
United States Courthouse  
411 West 4th Street, Suite 1-1053  
Santa Ana, CA 92701  
(714) 543-0870



SHARON SEFFENS, U.S. COURT REPORTER

(200)

1 APPEARANCES OF COUNSEL:

2 For the Plaintiff:

3 DEBRA W. YANG  
United States Attorney  
4 WAYNE R. GROSS  
Assistant United States Attorney  
5 Chief, Santa Ana Division  
BRENT G. TABACCHI  
6 Assistant United States Attorney  
U.S. District Courthouse  
7 411 West Fourth Street, 8th Floor  
Santa Ana, CA 92701

8  
9 For the Defendant:

10 TERRY W. BIRD  
BIRD, MARELLA, BOXER, WOLPERT  
11 NESSIM, DROOKS & LINCENBERG, P.C.  
1875 Century Park East, 23rd Floor  
12 Los Angeles, CA 90067-2561

13

14

15

16

17

18

19

20

21

22

23

24

25

1 SANTA ANA, CALIFORNIA; SEPTEMBER 1, 2006; A.M. SESSION

2 (Per telephonic conference.)

3 THE CLERK: Item No. 1, SACR-05-36-JVS, United  
4 States of America versus Kenneth Ketner.

5 Counsel, will you please state your appearance for  
6 the record.

7 MR. TABACCHI: Good morning, Your Honor. Brent  
8 Tabacchi on behalf of the United States.

9 MR. BIRD: Good morning, Your Honor. Terry Bird  
10 representing the defendant.

11 THE COURT: Good morning.

12 This is Judge Selna. We are in chambers on the  
13 record with the court reporter.

14 The reason I wanted to set this conference call up  
15 is I received a letter from Nancy O'Connor, the probation  
16 officer assigned to Mr. Ketner's case, dated August 18,  
17 2006, indicating that the Probation Office was having  
18 difficulty receiving materials from the government.

19 Do you want to bring me up to speed?

20 MR. TABACCHI: Yes, Your Honor. I think it was a  
21 little bit of a communication snafu. It looks like the  
22 requests were going to Mr. Stolper, the former AUSA in the  
23 case. There was a little bit of a breakdown in our office.  
24 I have spoken with -- the probation officer is actually I  
25 believe out of the Probation Office. I provided a letter to

1 the Probation Office with a copy of the plea agreement and  
2 information and forwarded to them some pertinent 302s that  
3 will help the case.

4 The case is very voluminous as the Court knows.  
5 Hopefully next week we can actually follow up with the  
6 actual probation officer on the case and see if she needs  
7 any additional information from the government to prepare  
8 the PSR.

9 THE COURT: Okay. Well, the sentencing is still  
10 several months off, December 4, so it sounds like with the  
11 line of communication open that things will run smoothly.

12 MR. TABACCHI: I think so. I apologize on behalf  
13 of the government. I actually spoke with the probation  
14 officer. The government will file the appropriate notice  
15 with the Court so they can look at the docket sheet.

16 THE COURT: Anything further?

17 MR. TABACCHI: No, Your Honor.

18 MR. BIRD: No, Your Honor.

19 *(Proceedings were adjourned.)*

20 -oOo-

21

22

23

24

25

-oOo-

CERTIFICATE

I hereby certify that pursuant to Section 753,  
Title 28, United States Code, the foregoing is a true and  
correct transcript of the stenographically reported  
proceedings held in the above-entitled matter and that the  
transcript page format is in conformance with the  
regulations of the Judicial Conference of the United States.

Date: September 10, 2007

Sharon A. Seffens

9/10/07

SHARON A. SEFFENS, U.S. COURT REPORTER

SHARON SEFFENS, U.S. COURT REPORTER